

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1072

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF FINANCE
10 AND ADMINISTRATION - REGULATORY DIVISION FOR THE
11 FISCAL YEAR ENDING JUNE 30, 2022; AND FOR OTHER
12 PURPOSES.
13
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF FINANCE AND
16 ADMINISTRATION - REGULATORY DIVISION
17 APPROPRIATION FOR THE 2021-2022 FISCAL
18 YEAR.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - REGULATORY DIVISION. There is hereby
25 established for the Department of Finance and Administration - Regulatory
26 Division for the 2021-2022 fiscal year, the following maximum number of
27 regular employees.
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Item	Class		Maximum	Maximum Annual
No.	Code	Title	No. of	Salary Rate
			Employees	Fiscal Year
				2021-2022
33	(1)	G305C DFA REGULATORY ADMINISTRATOR	1	GRADE SE02
34	(2)	G280C DFA REGULATORY ASST ADMIN-ENFORCEMENT	2	GRADE GS15
35	(3)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
36	(4)	A007C AUDIT MANAGER	1	GRADE GS11



1	(5)	G246C DFA REGULATORY BRANCH MANAGER	1	GRADE GS10
2	(6)	T108C DFA REGULATORY BRANCH SUPERVISOR	1	GRADE GS09
3	(7)	X196C DFA SR REGULATORY ENFORCEMENT AGENT	8	GRADE GS08
4	(8)	A060C SENIOR AUDITOR	2	GRADE GS08
5	(9)	X131C DFA REGULATORY ENFORCEMENT AGENT	33	GRADE GS07
6	(10)	C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
7	(11)	R027C BUDGET SPECIALIST	1	GRADE GS06
8	(12)	T061C SENIOR IA	1	GRADE GS06
9	(13)	E046C TRAINING INSTRUCTOR	1	GRADE GS06
10	(14)	C056C ADMINISTRATIVE SPECIALIST III	<u>2</u>	GRADE GS04
11		MAX. NO. OF EMPLOYEES	57	

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13 SECTION 2. APPROPRIATION - REGULATORY DIVISION. There is hereby
 14 appropriated, to the Department of Finance and Administration, to be payable
 15 from the Miscellaneous Agencies Fund Account, for personal services and
 16 operating expenses of the Department of Finance and Administration -
 17 Regulatory Division for the fiscal year ending June 30, 2022, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2021-2022</u>
21	(01) REGULAR SALARIES	\$1,920,212
22	(02) PERSONAL SERVICES MATCHING	644,878
23	(03) OVERTIME	10,000
24	(04) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	294,918
26	(B) CONF. & TRAVEL	25,000
27	(C) PROF. FEES	5,000
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	<u>0</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$2,900,008</u>

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32 SECTION 3. APPROPRIATION - REGULATORY DIVISION - SALES TO MINORS
 33 ENFORCEMENT - CASH. There is hereby appropriated, to the Department of
 34 Finance and Administration, to be payable from the cash fund deposited in the
 35 State Treasury as determined by the Chief Fiscal Officer of the State, for
 36 personal services, operating expenses, and the purchase of promotional items

1 of the Department of Finance and Administration - Regulatory Division - Sales
 2 to Minors Enforcement - Cash for the fiscal year ending June 30, 2022, the
 3 following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
7 (01) REGULAR SALARIES	\$567,087
8 (02) PERSONAL SERVICES MATCHING	196,364
9 (03) OVERTIME	5,000
10 (04) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	332,072
12 (B) CONF. & TRAVEL	0
13 (C) PROF. FEES	1,700
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	0
16 (05) PROMOTIONAL ITEMS	<u>5,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$1,107,223</u>

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 19 SECTION 4. APPROPRIATION - REGULATORY DIVISION - TOBACCO INSPECTION
 20 PROGRAM - FEDERAL. There is hereby appropriated, to the Department of
 21 Finance and Administration, to be payable from the federal funds as
 22 designated by the Chief Fiscal Officer of the State, for personal services
 23 and operating expenses of the Department of Finance and Administration -
 24 Regulatory Division - Tobacco Inspection Program - Federal for the fiscal
 25 year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
29 (01) REGULAR SALARIES	\$336,944
30 (02) PERSONAL SERVICES MATCHING	118,717
31 (03) OVERTIME	17,041
32 (04) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	150,000
34 (B) CONF. & TRAVEL	5,000
35 (C) PROF. FEES	31,242
36 (D) CAP. OUTLAY	0

1	(E) DATA PROC.	<u>0</u>
2	TOTAL AMOUNT APPROPRIATED	<u><u>\$658,944</u></u>

3
4 SECTION 5. APPROPRIATION - REGULATORY DIVISION - CIGARETTE FIRE SAFETY.

5 There is hereby appropriated, to the Department of Finance and
6 Administration, to be payable from the Cigarette Fire Safety Standard Fund,
7 for personal services and operating expenses to support fire safety and
8 prevention programs of the Department of Finance and Administration -
9 Regulatory Division - Cigarette Fire Safety for the fiscal year ending June
10 30, 2022, the following:

11	ITEM	FISCAL YEAR
12	NO.	2021-2022
13	(01) FIRE SAFETY & PREVENTION	<u><u>\$50,000</u></u>

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16 SECTION 6. APPROPRIATION - REGULATORY DIVISION - SPIRITUOUS AND VINOUS

17 BEVERAGES. There is hereby appropriated, to the Department of Finance and
18 Administration, to be payable from the Alcoholic Beverage Control Fund, for
19 promotion, education, training, alcohol safety awareness, enforcement
20 activities, equipment and vehicle purchases of the Department of Finance and
21 Administration - Regulatory Division for the fiscal year ending June 30,
22 2022, the following:

23	ITEM	FISCAL YEAR
24	NO.	2021-2022
25	(01) PROMOTION, EDUCATION, TRAINING, SAFETY	
26	AWARENESS ENROLLMENT	<u><u>\$300,000</u></u>

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29 SECTION 7. APPROPRIATION - REGULATORY DIVISION - REVENUE ENFORCEMENT.

30 There is hereby appropriated, to the Department of Finance and Administration
31 - Regulatory Division - Revenue Enforcement, to be payable from the Arkansas
32 Tobacco Control Revenue Fund, for personal services and operating expenses
33 related to carrying out the purposes authorized in 19-6-831 for the fiscal
34 year ending June 30, 2022, the following:

35	ITEM	FISCAL YEAR
36		

1	<u>NO.</u>	<u>2021-2022</u>
2	(01) REGULAR SALARIES	\$143,170
3	(02) PERSONAL SERVICES MATCHING	50,295
4	(03) OVERTIME	5,000
5	(04) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	92,817
7	(B) CONF. & TRAVEL	5,000
8	(C) PROF. FEES	500
9	(D) CAP. OUTLAY	22,000
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$318,782</u></u>

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13 SECTION 8. REGULAR SALARIES - ABC ADMINISTRATION. There is hereby
 14 established for the Department of Finance and Administration - Alcoholic
 15 Beverage Control Administration for the 2021-2022 fiscal year, the following
 16 maximum number of regular employees.

17

18			Maximum Annual
19		Maximum	Salary Rate
20	Item Class	No. of	Fiscal Year
21	<u>No. Code Title</u>	<u>Employees</u>	<u>2021-2022</u>
22	(1) G279C DFA REG ASST ADMIN-ADMINISTRATION	1	GRADE GS15
23	(2) G047C ATTORNEY SPECIALIST	3	GRADE GS11
24	(3) C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
25	(4) C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
26	(5) C046C LEGAL SUPPORT SPECIALIST	4	GRADE GS04
27	(6) C073C ADMINISTRATIVE SPECIALIST II	<u>2</u>	GRADE GS03
28	MAX. NO. OF EMPLOYEES	12	

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30 SECTION 9. EXTRA HELP - ABC ADMINISTRATION. There is hereby
 31 authorized, for the Department of Finance and Administration - Alcoholic
 32 Beverage Control Administration for the 2021-2022 fiscal year, the following
 33 maximum number of part-time or temporary employees, to be known as "Extra
 34 Help", payable from funds appropriated herein for such purposes: two (2)
 35 temporary or part-time employees, when needed, at rates of pay not to exceed
 36 those provided in the Uniform Classification and Compensation Act, or its

1 successor, or this act for the appropriate classification.

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3 SECTION 10. APPROPRIATION - ABC ADMINISTRATION - STATE OPERATIONS.

4 There is hereby appropriated, to the Department of Finance and
 5 Administration, to be payable from the Miscellaneous Agencies Fund Account,
 6 for personal services and operating expenses of the Department of Finance and
 7 Administration - Alcoholic Beverage Control Division for the fiscal year
 8 ending June 30, 2022, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2021-2022</u>
12 (01) REGULAR SALARIES	\$625,966
13 (02) EXTRA HELP	7,000
14 (03) PERSONAL SERVICES MATCHING	212,341
15 (04) MAINT. & GEN. OPERATION	
16 (A) OPER. EXPENSE	122,009
17 (B) CONF. & TRAVEL	4,986
18 (C) PROF. FEES	5,000
19 (D) CAP. OUTLAY	0
20 (E) DATA PROC.	<u>0</u>
21 TOTAL AMOUNT APPROPRIATED	<u><u>\$977,302</u></u>

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23 SECTION 11. APPROPRIATION - ABC ADMINISTRATION - MEDICAL MARIJUANA

24 COMMISSION. There is hereby appropriated, to the Department of Finance and
 25 Administration, to be payable from the Medical Marijuana Commission Fund, for
 26 refunds, reimbursements and contingency related to agency medical marijuana
 27 expenses of the Department of Finance and Administration - Alcoholic Beverage
 28 Control Division for the fiscal year ending June 30, 2022, the following:

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30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2021-2022</u>
32 (01) REFUNDS/REIMBURSEMENTS	\$500,000
33 (02) CONTINGENCY	<u>2,000,000</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$2,500,000</u></u>

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36 SECTION 12. REGULAR SALARIES - RACING COMMISSION. There is hereby

1 established for the Department of Finance and Administration - Racing
 2 Commission for the 2021-2022 fiscal year, the following maximum number of
 3 regular employees.

Item	Class	Maximum	Maximum Annual
No.	Code Title	No. of	Salary Rate
		Employees	Fiscal Year
			2021-2022
9	(1) G287C DFA REGULATORY ASST ADMIN-RACING	1	GRADE GS15
10	(2) B009N DFA DOG RACING VETERINARIAN	1	GRADE MP04
11	(3) X069C DFA RACING SUPERVISOR	3	GRADE GS09
12	(4) C037C ADMINISTRATIVE ANALYST	2	GRADE GS06
13	(5) C022C BUSINESS OPERATIONS SPECIALIST	1	GRADE GS05
14	(6) X142C DFA RACING COMMISSION JUDGE	2	GRADE GS05
15	(7) A104C DFA RACING COMMISSION OFFICE AUDITOR	1	GRADE GS04
16	(8) B110C VETERINARIAN ASSISTANT	<u>4</u>	GRADE GS03
17	MAX. NO. OF EMPLOYEES	15	

18
 19 SECTION 13. EXTRA HELP - RACING COMMISSION. There is hereby
 20 authorized, for the Department of Finance and Administration - Racing
 21 Commission for the 2021-2022 fiscal year, the following maximum number of
 22 part-time or temporary employees, to be known as "Extra Help", payable from
 23 funds appropriated herein for such purposes: thirty-one (31) temporary or
 24 part-time employees, when needed, at rates of pay not to exceed those
 25 provided in the Uniform Classification and Compensation Act, or its
 26 successor, or this act for the appropriate classification.

27
 28 SECTION 14. APPROPRIATION - RACING COMMISSION - STATE OPERATIONS.
 29 There is hereby appropriated, to the Department of Finance and
 30 Administration, to be payable from the Miscellaneous Agencies Fund Account,
 31 for personal services and operating expenses of the Department of Finance and
 32 Administration - Racing Commission for the fiscal year ending June 30, 2022,
 33 the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>

1	(01) REGULAR SALARIES	\$772,781
2	(02) EXTRA HELP	460,000
3	(03) PERSONAL SERVICES MATCHING	331,620
4	(04) OVERTIME	10,000
5	(05) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	290,914
7	(B) CONF. & TRAVEL	7,500
8	(C) PROF. FEES	50,000
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	<u>0</u>
11	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,922,815</u></u>

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13 SECTION 15. APPROPRIATION - RACING COMMISSION - CASH OPERATIONS. There
 14 is hereby appropriated, to the Department of Finance and Administration, to
 15 be payable from the cash fund deposited in the State Treasury as determined
 16 by the Chief Fiscal Officer of the State, for personal services and operating
 17 expenses of the Department of Finance and Administration - Racing Commission
 18 for the fiscal year ending June 30, 2022, the following:

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20	ITEM	FISCAL YEAR
21	<u>NO.</u>	<u>2021-2022</u>
22	(01) EXTRA HELP	\$65,000
23	(02) PERSONAL SERVICES MATCHING	14,991
24	(03) MAINT. & GEN. OPERATION	
25	(A) OPER. EXPENSE	231,000
26	(B) CONF. & TRAVEL	5,000
27	(C) PROF. FEES	0
28	(D) CAP. OUTLAY	0
29	(E) DATA PROC.	0
30	(04) REFUND/REIMBURSEMENTS	<u>5,000</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$320,991</u></u>

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33 SECTION 16. APPROPRIATION - RACING COMMISSION - PURSES AND AWARDS
 34 TRANSFERS. There is hereby appropriated, to the Department of Finance and
 35 Administration - Racing Commission, to be payable from the cash fund
 36 deposited in the State Treasury as determined by the Chief Fiscal Officer of

1 the State, for the transfers to the Department of Finance and Administration
2 - Racing Commission Purses and Awards Fund for the fiscal year ending June
3 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REFUNDS/INVESTMENTS/TRANSFERS	<u>\$25,000,000</u>

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9 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
11 DEPARTMENT OF FINANCE AND ADMINISTRATION - ARKANSAS TOBACCO CONTROL -
12 PROMOTIONAL ITEMS. Arkansas Tobacco Control is hereby authorized to purchase
13 from Maintenance & General Operations Classifications in the Operations
14 Appropriation and Sales to Minors Enforcement - Cash Appropriation provided
15 by this Act, up to an amount not to exceed \$5,000 each fiscal year for
16 promotional items, authorized by the Director of the Agency, and with the
17 approval of the Chief Fiscal Officer of the State, to meet the Department of
18 Finance and Administration - Arkansas Tobacco Control Merchant Education
19 needs.

20 The provisions of this section shall be in effect only from July 1, ~~2020~~
21 2021 through June 30, ~~2021~~ 2022.

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23 SECTION 18. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ABC
25 ADMINISTRATION - CONTINGENCY APPROPRIATION TRANSFER AUTHORITY. The Chief
26 Fiscal Officer of the State shall transfer appropriation as needed from the
27 Contingency Appropriation authorized in this Act to the Alcoholic Beverage
28 Control Division of the Department of Finance and Administration, the
29 Department of Health and/or any other state agency incurring expenses for the
30 implementation, administration, or enforcement of the Arkansas Medical
31 Marijuana Amendment of 2016, to pay for personal services, operating
32 expenses, professional fees, equipment, monitoring, auditing, and other
33 miscellaneous expenses.

34 The provisions of this section shall be in effect only from July 1, ~~2020~~
35 2021 through June 30, ~~2021~~ 2022.

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1 SECTION 19. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DIVISION
3 OF RACING - EXTRA HELP. There is hereby authorized, for the Department of
4 Finance and Administration - Division of Racing for the ~~2020-2021~~ 2021-2022
5 fiscal year, the maximum number of thirty-one (31) part-time or temporary
6 employees, to be known as "Extra Help", payable from funds appropriated
7 herein for such purposes, such employees shall be authorized to work over
8 1,000 hours per year.

9 The provisions of this section shall be in effect only from July 1, ~~2020~~
10 2021 through June 30, ~~2021~~ 2022.

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12 SECTION 20. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
13 authorized by this act shall be limited to the appropriation for such agency
14 and funds made available by law for the support of such appropriations; and
15 the restrictions of the State Procurement Law, the General Accounting and
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
17 Procedures and Restrictions Act, or their successors, and other fiscal
18 control laws of this State, where applicable, and regulations promulgated by
19 the Department of Finance and Administration, as authorized by law, shall be
20 strictly complied with in disbursement of said funds.

21
22 SECTION 21. LEGISLATIVE INTENT. It is the intent of the General
23 Assembly that any funds disbursed under the authority of the appropriations
24 contained in this act shall be in compliance with the stated reasons for
25 which this act was adopted, as evidenced by the Agency Requests, Executive
26 Recommendations and Legislative Recommendations contained in the budget
27 manuals prepared by the Department of Finance and Administration, letters, or
28 summarized oral testimony in the official minutes of the Arkansas Legislative
29 Council or Joint Budget Committee which relate to its passage and adoption.

30
31 SECTION 22. EMERGENCY CLAUSE. It is found and determined by the
32 General Assembly, that the Constitution of the State of Arkansas prohibits
33 the appropriation of funds for more than a one (1) year period; that the
34 effectiveness of this Act on July 1, 2021 is essential to the operation of
35 the agency for which the appropriations in this Act are provided, and that in
36 the event of an extension of the legislative session, the delay in the

1 effective date of this Act beyond July 1, 2021 could work irreparable harm
2 upon the proper administration and provision of essential governmental
3 programs. Therefore, an emergency is hereby declared to exist and this Act
4 being necessary for the immediate preservation of the public peace, health
5 and safety shall be in full force and effect from and after July 1, 2021.

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